

Preliminary Amendment

Applicant: Daniel R. Marshall

Serial No.: Unknown (Parent Serial No.: 09/710,161)

Filed: Herewith (Parent Filing Date: November 8, 2000)

Docket No.: 10002305-3

Title: SWALLOWABLE DATA RECORDER CAPSULE MEDICAL DEVICE

REMARKS

This Preliminary Amendment modifies the Divisional Application filed herewith. In this Preliminary Amendment claims 1-20 and 23-37 have been canceled without prejudice and claims 38-52 have been substituted therefor. **Applicants request that filing fees be calculated on the basis of entry of this Preliminary Amendment.** Claims 21, 22, and 38-56 remain in the application and are presented for consideration. It is believed that all claims 21, 22, and 38-56 of this application are in condition for allowance. A notice to that effect is respectfully requested.

Any inquiry regarding this Preliminary Amendment should be directed to either Steven E. Dicke, Esq. at Telephone No. (612) 573-2002, Facsimile No. (612) 573-2005 or Philip S. Lyren, Esq. at Telephone No. (281) 514-8236, Facsimile No. (281) 514-8332. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

Daniel R. Marshall,

By his attorneys,

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Date: September 16, 2003
SED:jan

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